



16638 U.S. PTO

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10/764712

REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR § 1.53(b)(1)

Case No.	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
	CLASS	SUBCLASS		
11320/33	514			1615

Address to:

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

This is a request for filing a continuation divisional application under 37 CFR § 1.53(b)(1), of pending prior application number 09/953,349, filed on September 13, 2001, entitled METHOD FOR TREATMENT OF OBESITY AND DIABETES.

- Copy Of the Prior application, including 10 sheets of drawings, 61 pages of Application (including title page), and the following Appendices: paper copy of sequence listing.
- Copy of the Declaration filed in the Prior application.
- PTO Form 1449 and Information Disclosure Statement.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	13 - 20 =	3	x \$ 18 =	\$0
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 - 3 =	0	x \$ 84 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$280 =	\$ 0.00
			BASIC FEE (37 CFR 1.16(a))	\$ 770	
			Total of above Calculations =	\$770.00	
			Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)	\$385.00	
			TOTAL =	\$385.00	

- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
 - is enclosed.
 - was filed in prior application number 09/953,349 and such status is still proper and desired (37 CFR 1.28(a)).
- The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- Enclosed is a check for \$ 385 to cover the filing fees.
- Cancel in this application original claims _____ of the prior application and otherwise enter the attached preliminary amendment before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- The inventor(s) of the invention being claimed in this application is(are): Miles B. Brennan and Ute Hochgeschwender.
- This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: _____.
- Amend the specification by inserting before the first line the sentence: "This application is a continuation division of application number _____, filed _____, (pending), which is a continuation-in-part of application number. The contents of these prior applications are incorporated for all purposes by this reference."



11. New formal drawings are enclosed.

12. Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.
 The certified copy has been filed in prior application number _____, filed

13. A preliminary amendment is enclosed.

14. The prior application is assigned of record to Eleanor Roosevelt Institute and Oklahoma Medical Research Foundation.

15. Also enclosed: Postcard Receipt.

16. The power of attorney in the prior application is to: K. Shannon Mrksich and other attorneys at the firm of BRINKS HOFER GILSON & LIONE.
a. The power appears in the original papers in the prior application.
b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. Address all future correspondence to: (may only be completed by applicant, or attorney or agent of record.)

John Murray
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200

January 23, 2004
Date

John Murray
Signature

Name: John Murray, Ph.D.
Reg. No. 44,251

Inventor(s)
 Assignee of complete interest
 Attorney or agent of record
 Filed under 37 CFR 1.34(a)
Registration Number if acting under 37 CFR 1.34(a): _____.